IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 9064 of 2004

Deepak Ahlawat s/o Shri J.D.Ahlawat ..Petitioner

vs.

1. Principal
Army Institute of Technology
Dighi Hills, Pune
and others ..Respondents

Shri Girish Godbole for petitioner
Shri S.V.Pitre for respondent no.1
Shri D.A.Dube for respondent Union of India

CORAM: A.P.SHAH AND
S.C.DHARMADHIKARI JJ
1st December,2004

P.C.

1. Heard Advocates.

2. The petitioner is a student of 3rd year in respondent no.1 Army Institute of Technology. In September, 2004 a student by name Mayank Baunthiyal filed a complaint of ragging in which the petitioner and certain other students were named. The Principal of the Institute constituted a Committee for enquiry against the petitioner and 6 other students. The said Committee consisted of Lt.Col.D.Sharma (Retired) and two other members namely Shri Sanjay Sharma and Prof.R.S.Desai. The Committee was constituted as per Statute 157 of Pune University's Statutes and show cause notices

were issued to the concerned students including the petitioner. The Committee recorded statement of Mahayank Bauntiyal in question and answer form. It appears that the petitioner and other 3 students confessed in writing their involvement in the incident of ragging on the night of 22nd and 23rd September, 2004. In view of the admission of guilt by the students a decision was taken to expel the petitioner and other senior student Sandeep Cheema for a period of two years and other 2 students i.e. Vishal Singh Rathore and Pankaj Joshi were expelled for 1 year. We hasten to add that it can be seen from the statement of the complainant that petitioner and Sandeep Cheema played major role in the incident of ragging.

3. There is no gain saying that ragging is a menace pervading the educational institutions of the country inspite of the efforts made by the authorities to curb this menace. In Vishwa Jagriti Mission through President Vs.s Central Govt. and others; (2001)6 SCC 577 the Supreme Court viewed with concern the increase in the number of incidents of ragging in educational institutions and issued directions for taking disciplinary action against the students involved in the incidents of ragging. We have gone through the statement of the complainant Mayank Baunthiyal. We

find that the incident had crossed all limits of decency where the complainant was subjected to extreme physical and mental harassment and as a result of this unfortunate incident the complainant has left the college and went back to his parent State. In our opinion, the petitioner does not deserve any sympathy and punishment imposed by the college authorities is liable to be upheld.

3. Petition is dismissed.